

Application No. 10695221 (Docket: CNTR.2115)
37 CFR 1.111 Amendment dated 06/27/2007
Reply to Office Action of 03/27/2007

REMARKS/ARGUMENTS

In the Office Action, the Examiner noted that claims 1-22 are pending in the application. The Examiner additionally stated that claims 1-2, 4-7, 10-13, and 19-22 are rejected and claims 3, 8, 9, and 14-18 are objected to. By this amendment, claims 2-3, 13-14, and 19-22 are cancelled and claims 1, 4, 6, 10, and 15 are amended. Hence, claims 1, 4-12, and 15-18 are pending in the application.

Applicant hereby requests further examination and reconsideration of the application, in view of the foregoing amendments.

In the Specification

Applicant has amended the specification to secure a substantial correspondence between the claims amended herein and the remainder of the specification. No new matter is presented.

In the Claims

Rejections Under 35 U.S.C. §112

The Examiner rejected claims 4 and 6 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

With regard to claim 4, the Examiner noted that the term "relatively weak devices" is a relative term, which renders the claim indefinite. The Examiner added that the term "relatively weak devices" is indefinite for the same reason "relatively shallow" was held to be indefinite by the Board of Appeals, i.e., it is not clear what Applicant intends to cover by the term "relatively weak devices" when referring to the third and fourth N-channel devices. See Ex parte Oetiker ,23 USPQ2d 641 (Bd. Pat. App & Inter. 1992). MPEP 3 2173.05(b).

With regard to claim 6, the Examiner noted that it is indefinite because of the limitation "sufficiently large", which is a relative term; as noted above in the discussion with regard to claim 4.

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In reply, Applicant has amended claim 4 to recite that the third and fourth N-channel devices "are provided to stabilize said differential amplifier in the event of clock shutdown" as opposed to being "relatively weak devices," thereby particularly pointing out and distinctly claiming the subject matter which Applicant regards as the invention. It is therefore requested that the rejection of claim 4 be withdrawn.

Applicant has also amended claim 6 to remove the reference to "sufficiently large," thereby distinctly claiming that said first and second N-channel devices are sized to overcome parasitic capacitances of said first and second P-channel devices. It is accordingly requested that the rejection of claim 6 be withdrawn.

Allowable Subject Matter

The Examiner objected to claims 3, 8, 9, and 14-18 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner added that The prior art of record fails to disclose or fairly suggest a multiple mode clock receiver (400 in instant Fig. 4), as recited in claims 3 and 14, having a very specific structural limitation such as a third N-channel device (N3) having a source coupled to the source of the first N channel device (N1) and a drain and a gate coupled to the first junction (BASS); and a fourth N channel device (N4) having a source coupled to the source of the second N-channel device (N2) and a drain and a gate coupled to the second junction (PIKE); and being configured in combination with the rest of the limitations of the base claims and any intervening claims.

The Examiner also stipulated that the prior art of record fails to disclose or fairly suggest a multiple mode clock receiver (400 in instant Fig. 4), as recited in claim 8, having a very specific structural limitation such as a differential amplifier (405) comprises a fifth P-channel device (P5) having a source and a substrate coupled to a voltage source, a gate coupled to a center node (CNT) and a drain; a sixth P-channel device (P6) having a source and a substrate coupled to said voltage source, and a gate and drain coupled together at said center node; a third N-channel device (N5) having a source, a gate coupled to said first junction, and a drain coupled to said drain of said fifth P-channel

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device; a fourth N-channel device (N6) having a drain coupled to said source of said third N channel device, a gate coupled to said center node, and a source coupled to ground; a fifth N channel device (N7) having a source coupled to said source of said third N-channel device, a gate coupled to said second junction, and a drain coupled to said drain of said sixth P-channel device; and a sixth N-channel device (N8) having a drain coupled to said source of said fifth N channel device, a gate coupled to said center node, and a source coupled to ground; and being configured in combination with the rest of the limitations of the base claims and any intervening claims.

For the purpose of expediting the patent application process in a manner consistent with the PTO's Patent business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000), Applicant has elected to amend claims 1 and 10 to incorporate the subject matter which has been deemed above as being allowable over the prior art of record. Claims 2-3 and 13-14 are hereby cancelled and those claims depending from claims 2-3 and claims 13-14 have been amended to now depend from claims 1 and 10, as appropriate. Applicant appreciates the Examiner's consideration and indications of allowability of these claims, however, the rejection of claims 1 and 10 is traversed and Applicant hereby provides notice of intent to pursue these claims in a continuation application.

Rejections Under 35 U.S.C. §102(e)

The Examiner rejected claims 1, 10-12, and 19-22 under 35 U.S.C. 102(e) as being clearly anticipated by Fischer et al., U.S. Patent 6,459,306 (hereinafter, Fischer). Applicant respectfully traverses the Examiner's rejections.

Regarding claim 1, Applicant notes that the limitations of claims 2-3 have been incorporated into the language of claim 1, thereby rendering it allowable over the prior art of record. It is therefore requested that the rejection of claim 1 be withdrawn.

Regarding claim 10, Applicant notes that the limitations of claims 13-14 have been incorporated into the language of claim 10, thereby rendering it allowable over the prior art of record. It is therefore requested that the rejection of claim 10 be withdrawn.

With respect to claims 11-12, these claims depend from claim 10 and add further limitations over that which is shown above to be allowable over the prior art of record.

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Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections of claims 11-12.

By this amendment, claims 19-22 have been cancelled, thereby rendering the Examiner's rejections moot.

Rejections Under 35 U.S.C. §103(a)

The Examiner rejected claims 2 and 13 under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Stockstad et al., US 6,703,894. Applicant respectfully notes that by this amendment, claims 2 and 13 have been cancelled, thereby rendering the Examiner's rejections moot.

The Examiner rejected claims 5 and 7 under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Krzentz, US 5,796,296. Applicant respectfully traverses and notes that these claims depend from claim 1 and add further limitations over that which is shown above to be allowable over the prior art of record. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections of claims 5 and 7.

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CONCLUSIONS

Applicant believes this to be a complete response to all of the issues raised in the instant office action and further submits, in view of the amendments and arguments advanced above, that claims 1, 4-12, and 15-18 are in condition for allowance. Reconsideration of the rejections is requested, and allowance of the claims is solicited.

Applicant also notes that any amendments made by way of this response, and the observations contained herein, are made solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000), and are furthermore made without prejudice to Applicant under this or any other jurisdictions. It is moreover asserted that insofar as any subject matter might otherwise be regarded as having been abandoned or effectively disclaimed by virtue of amendments made herein and/or incorporated in attachments submitted with this response, Applicants wishes to reserve the right and hereby provides notice of intent to restore such subject matter and/or file a continuation application in respect thereof.

Applicant earnestly requests that the Examiner contact the undersigned practitioner by telephone if the Examiner has any questions or suggestions concerning this amendment, the application, or allowance of any claims thereof.

I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.
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Respectfully submitted,
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